

## RELIGIOUS HOLIDAYS

Our school department has a long and positive history of respecting family needs within educational programming. This directive officially requests that no major examinations or school-sponsored co-curricular activities be conducted during the school day and that the introduction of new course work be minimized on dates when students of various faiths are absent in observance of Holy Days. Examples of these days are Rosh Hashanah, Yom Kippur and Good Friday.

As amended: November 9, 1989  
Reviewed: September 13, 1994  
Recoded: June 1998  
Reviewed and Approved: March 14, 2006  
Reviewed: September 10, 2013



Talbot, Jessica &lt;jtalbot@capeelizabethschools.org&gt;

**RE: Religious Holidays**

1 message

**Charlotte Bates** <CBates@msmaweb.com>  
To: Jess Talbot <jtalbot@capeelizabethschools.org>

Tue, Feb 27, 2018 at 1:31 PM

If the issue is student absenteeism, "Observance of a recognized religious holiday when the observance is required during the regular school day" is an excused absence under 20-A MRSA Sec. 5001-A(4) and policy JEA, the compulsory attendance policy.

And there is still that holdover from the old Title 20 providing for release for up to an hour each week for "public school students who participate in a course of moral instruction or religious observance at their place of worship or other suitable place . . ." (20 MRSA Sec. 1224-A)

So this issue is more about opportunities for making up tests, quizzes and missed work and the effect on academics if there are multiple absences (including both excused and unexcused), the idea being that class participation is important to learning. This was clearer when the effect was "loss of credit" but in a proficiency based environment it is more like missing an opportunity to learn or to demonstrate skills and knowledge. In any event, the attendance policy, JEAA, and any rules associated with it would be relevant.

Debating with parents about the status a particular religious holiday or whether the observance *must* be during the school day can lead to conflict, so most schools are pretty liberal.

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As for teaching about religious holidays, I've attached a couple of files with sample policies, but the other three PDFs have materials that are worth reading.

Charlotte

**From:** Jess Talbot [mailto:jtalbot@capeelizabethschools.org]  
**Sent:** Tuesday, February 27, 2018 12:44 PM  
**To:** Charlotte Bates  
**Subject:** Re: Sample Policy on use of Recording Devices

Thank you so much, Charlotte! I had a few others to ask about:

- Religious Holidays
- Homework (IKB)

- Are there any policies surrounding displaying/having available ingredients and nutritional value?

Thanks!  
Jess

On Mon, Feb 26, 2018 at 4:28 PM, Charlotte Bates <CBates@msmaweb.com> wrote:

No MSMA sample policy, or any that I have seen in Maine, but if you are thinking of policy in the context of *Pollack v. MSAD 75*, this sample policy from a school district in New Jersey may be useful. Although NJ has a law that applies, the language of the policy (at least the parts that concern privacy and consent, which was my focus when reading through it) appears to me to be consistent with the US District Court (D Me) decision. You will have to read through the whole policy to pick up on what's relevant, as this sample policy covers a lot of other ground.

If I find other sample policies on the subject, I will forward them to you.

Charlotte

Charlotte Bates

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**From:** Jess Talbot [mailto:[jtalbot@capeelizabethschools.org](mailto:jtalbot@capeelizabethschools.org)]  
**Sent:** Monday, February 26, 2018 3:16 PM  
**To:** Charlotte Bates  
**Subject:** Sample Policy

Hi Charlotte,

I was wondering if you have any sample policies on the use and/or restriction of recording devices in schools?

Thank you!  
Jess

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Jessica Talbot

Special Services Department Office Manager

2/27/2018

Cape Elizabeth School Department Mail - RE: Religious Holidays

Cape Elizabeth School Department

320 Ocean House Road, PO Box 6267

Cape Elizabeth, ME 04107

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*Under Maine's Freedom of Access law, documents - including e-mail - about school district business are classified as public records and may be subject to disclosure.*

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#### 6 attachments



**Jea.doc**  
27K



**Religion-holidays-IMDC.pdf**  
75K



**ReligiousHolidaysinPublicSchools-WA.pdf**  
137K



**Religion-TeachingAbout-Pols.pdf**

2/27/2018

Cape Elizabeth School Department Mail - RE: Religious Holidays

665K

 **Religion-FirstAmend-TeachersGuideTo.pdf**  
1272K

 **ReligHol-1.pdf**  
226K

IMDC

**SCARBOROUGH SCHOOL DEPARTMENT**THE CELEBRATION OF HOLIDAYS

The Scarborough Board of Education creates this policy to govern the observance of holidays during the instructional time of the school day.

The Scarborough Board of Education directs that school officials and teachers, as well as parents and students, must approach this challenge as an opportunity to work cooperatively for the sake of good education and good will among people.

In developing guidelines about acknowledgement of religion, the Scarborough Public Schools bases its policy in the shared commitment of respect for individual religious beliefs expressed in the constitutional guarantee of religious liberty. This means that the Scarborough Public Schools may neither promote nor inhibit religious belief or non-belief, so long as expressions of religious belief or non-belief are consistent with school rules and respect the rights of others. Scarborough Public Schools recognizes, however, that one of its educational goals is to advance students' knowledge and appreciation of the role that religion has played in the social, cultural, and historical development of civilization. It would be neither possible nor desirable for our schools simply to ignore religion and avoid all materials with religious theme or implication.

It further recognizes that although awareness of legal issues is essential in considering religion and public education, the law does not supply answers to every question. Within the current legal framework, our schools – the Board, administrators, teachers, parents and students – must make many practical decisions regarding religious holidays. This work can be done by showing sensitivity to the needs of every student and by showing a willingness to steer a course between the avoidance of all references to religion, on the one hand, and the promotion of religion on the other.

The intent of this policy is to articulate guidelines which reflect and balance the academic and instructional mission of our schools, the law and legal guidelines relating to separation of church and state, the richness and diversity of our population, and sensitivity to the rights and dignity of the individual.

To achieve the intent of this policy, the Scarborough Public Schools will offer to its teaching staff opportunities for professional development which addresses the law and legal guidelines and the need for sensitivity when dealing with issues of religious belief and customs and also promote open school/home communications in these matters.

## RULES

### Observance of Religious Holidays

The practice of the Scarborough Public Schools shall be as follows:

1. Several holidays during the year which have a religious origin, but have acquired secular meaning, may be acknowledged in the public schools.
2. When acknowledging such holidays, the historical and contemporary values and the origin of those religious holidays may be explained in an unbiased and objective manner without sectarian indoctrination.
3. Music, art, literature, and drama, having religious themes or basis, are permitted as part of the curriculum for school-sponsored activities and programs, if presented primarily in a secular and objective manner. The duration of such programs and activities, which should be linked to the school's curriculum, should not exceed a period of time equivalent to the academic value of the program or activity. If the activities include a party-like celebration, this party should not exceed one hour at the end of the session on the identified day.
4. Religious symbols such as a cross, menorah, crescent, Star of David, creche, symbols of Native American religions, or other symbols that are a part of a religious holiday are permitted as teaching aids or resources, provided such symbols are displayed as examples of the cultural and religious heritage of the holiday and are temporary in nature. Among these holidays are included Christmas, Easter, Passover, Hanukkah, St. Valentine's Day, St. Patrick's Day, Thanksgiving and Halloween.
5. Any acknowledgement of a holiday shall emphasize the historical, cultural, and social value of the holiday and the associated religion and shall not be used to endorse any religion or holiday.
6. The right of parents to excuse their children from school attendance for purposes of religious observance is understood, and such absence will entail no penalty, academic or otherwise.
7. Students may be excused from participating in practices which are contrary to their religious beliefs.

### Religion in the Curriculum

Religious institutions and orientations are central to human experience, past and present. An education excluding such a significant aspect of human history would be incomplete. It is essential that the teaching about - and not of - religion be conducted in a factual, objective, and respectful manner.

Therefore, the practice of the Scarborough Public Schools shall be as follows:

1. The System supports the inclusion of religious literature, music, drama, and the arts in the curriculum and in school activities, provided it is intrinsic to the learning experience in the various fields of study and is presented objectively.
2. The emphasis on religious themes in the arts, literature, and history should be only as extensive as necessary for a balanced and comprehensive study of these areas. Such studies should never foster any particular religious tenets or demean any religious beliefs.
3. Student-initiated expressions to questions or assignments which reflect their belief or non-belief about a religious theme shall be accommodated, so long as they are otherwise consistent with school rules and respect the rights of others.

Adopted: October 20, 1994

Legal Ref.: Title 1 MRSA Section 111-A-118



THE CELEBRATION OF HOLIDAYS

- 1.0 The Board of Education creates this policy with a shared commitment of respect for individual religious beliefs expressed in the constitutional guarantee of religious liberty, while ensuring its educational goal to advance students' knowledge and appreciation of the role that religion plays in the social, cultural, and historical development of civilization.
  - 1.1. The Board acknowledges that it is neither possible nor desirable for our schools to simply ignore religion and avoid all materials with a religious theme or implication
- 2.0 Scarborough School Department may neither promote nor inhibit religious belief or non-belief, so long as expressions of religious belief or non-belief are consistent with school rules and respect the rights of others.
- 3.0 The Board directs its administrators, teachers, and students, with the cooperation of parents and community, to make practical and reasonable decisions regarding religious holidays when in school. This requires a sensitivity to the needs of every student and a willingness to steer a course between the avoidance of all references to religion, on the one hand, and the promotion of religion on the other.
- 4.0 The intent of this policy and related regulations, which reflect and balance the academic and instructional mission of our schools, the law, and legal guidelines related to the separation of church and state, the richness and diversity of our population, and sensitivity to the rights and dignity of the individual, as they relate to the celebration of holidays.
- 5.0 The Scarborough School Department will offer to its faculty opportunities for professional development that address the law and legal guidelines, acknowledge the need for sensitivity when dealing with issues of religious belief and customs, and promotes open school/home communications in these matters.

Adopted: October 20, 1994

Revised: November 7, 2002

THE CELEBRATION OF HOLIDAYS REGULATIONS

- 1.0 The Board of Education approves the following regulations in support of celebrating holidays in its school system:
  - 1.1. Holidays, which have a religious origin, may be acknowledged in the public schools.
  - 1.2. The historical and contemporary values and the origin of those holidays may be explained in an unbiased and objective manner without sectarian indoctrination.
  - 1.3. Music, art, literature, and drama, having religious themes or basis, will be permitted as part of the curricula for school-sponsored activities and programs, if presented in an objective manner.
    - 1.3.a. The duration of such programs and activities, which should be linked to the school's curriculum, should not exceed a period of time equivalent to the academic value of the program or activity.
    - 1.3.b. Activities, including a party-like celebration, should not exceed one hour at the end of the session on the identified day.
  - 1.4. Symbols that are a part of a religion are permitted provided such symbols are displayed as examples of the cultural and religious heritage of the holiday and are temporary in nature.
  - 1.5. Symbols that are a part of religious holiday, but have acquired a secular meaning are permitted.
  - 1.6. Acknowledgement of a holiday will emphasize the historical, cultural, and social value of the holiday and the associated religion and will not be used to endorse any religion or holiday.

Adopted: October 20, 1994

Revised: November 7, 2002

**Celebration of Holidays**

The MSAD #51 Board creates this policy with a shared commitment of respect for individual religious beliefs expressed in the constitutional guarantee of religious liberty while ensuring its educational goal to advance students' knowledge and appreciation of the role that religion plays in the social, cultural, and historical development of civilization.

The Board acknowledges that it is neither possible nor desirable for our schools to simply ignore religion and avoid all materials with a religious theme or implication.

MSAD #51 may neither promote nor inhibit religious belief or non-belief, so long as expressions of religious belief or non-belief are consistent with school rules and respect the rights of others.

The MSAD #51 Board directs its administrators, teachers, and students with cooperation of parents and community, to make practical and reasonable decisions regarding religious holidays when in school. This requires a sensitivity to the needs of every student and a willingness to steer a course between the avoidance of all references to religion, on the one hand, and the promotion of religion on the other.

The intent of this policy and related regulations is to reflect and balance the academic and instruction mission of our schools, the law, and legal guidelines related to the separation of church and state, the richness and diversity of our population and sensitivity to the rights and dignity of the individual, as they relate to the celebration of holidays.

Adopted:      May 7, 2012

### **Celebration of Holidays Regulations**

The MSDA #51 School Board approves the following regulations in support of celebrating holidays in its school system:

- 1.1. Holidays, which have a religious origin, may be acknowledged in the public schools.
- 1.2. The historical and contemporary values and the origin of those holidays may be explained in an unbiased and objective manner without sectarian indoctrination.
- 1.3. Music, art, literature, and drama, having religious themes or basis, will be permitted as part of the curricula for school-sponsored activities and programs, if presented in an objective manner.
  - 1.3.a. The duration of such programs and activities, which should be linked to the school's curriculum, should not exceed a period of time equivalent to the academic value of the program or activity.
- 1.4. Symbols that are a part of a religion are permitted provided such symbols are displayed as examples of the cultural and religious heritage of the holiday and are temporary in nature
- 1.5. Acknowledgement of a holiday will emphasize the historical, cultural, and social value of the holiday and the associated religion and will not be used to endorse any religion or holiday.

Adopted: May 7, 2012

SCHOOL CEREMONIES AND OBSERVANCES

The Board of Education sanctions within the South Portland School Department celebrations as determined by the principals and staff in each building.

The South Portland School Department may acknowledge religious holidays by conveying a message of pluralism and freedom of belief in some manner or form that does not endorse religion. In determining whether an acknowledgement endorses religion, school officials shall consider the context in which the acknowledgement appears or occurs.

Legal Reference:	Title 20-A: MRSA § 4805; Paragraph 9
Adopted:	Prior to 1986
Revised:	May, 2001
Revised:	February 26, 2002
Revised:	July 8, 2002

## **STUDENT ATTENDANCE/STUDENT ABSENCES AND TARDINESS**

Regular school attendance is essential to academic success. Because the process of education depends upon exposure to subject matter, continuity of instruction and class participation, absence from class is detrimental to student learning. The interaction of students with the teacher and with other students contributes to mastery of content, critical thinking, and development of effective communication and social skills.

Responsibility for maintaining student attendance is a shared responsibility.

- A. Except for excused absences, students are expected to attend school every day, arrive at school and to each class on time, and remain in school for the full day.
- B. Parents are expected to ensure that their children arrive at school each day on time, remain in school for the full day, and attend school consistently throughout the year.
- C. Schools will maintain a comprehensive attendance record for each student. School staff [**OR: \_\_\_\_**] are expected to monitor attendance and communicate with parents and students regarding attendance and tardiness.

The Superintendent, in consultation with school administrators and, as appropriate, other school unit staff, shall be responsible for developing rules and procedures related to student attendance. Such rules and procedures will include provisions for:

- A. Disciplinary consequences for unexcused absences, tardiness, early departures and absences from classes;
- B. The potential academic consequences of excessive absenteeism; and
- C. The making up of tests, quizzes and other work missed during excused and unexcused absences.

**[NOTE: Rules may be more expansive, if desired, or additional information may be disseminated through student or staff handbooks. Topics may include but are not limited to: 1) protocols for parents notifying the school that their child(ren) will be absent and providing documentation, and 2) administrative and staff responsibilities for verification of absences and reasons for absences; attendance data collection and reporting; and school communication with parents and students in regard to attendance issues.]**

The Board's policy and the schools' attendance rules and procedures will be communicated to students, parents, administrators and staff by means of student and staff handbooks, student and parent orientations and/or other means as deemed effective and appropriate. The potential disciplinary consequences for unexcused absences from school or class and for unexcused tardiness and early departures will be included in the student code of conduct.

**[OPTIONAL: The Superintendent may implement [OR: recommend to the Board for its approval] incentive systems to encourage and maintain regular attendance.]**

Cross Reference: JEA – Compulsory Attendance  
JFC – Dropout Prevention/Student Withdrawal from School  
JHB - Truancy

Adopted: \_\_\_\_\_

**PLEASE NOTE** MSMA sample policies and other resource materials do not necessarily reflect official Association policy. They are not intended for verbatim replication. Sample policies should be used as a starting point for a board's policy development on specific topics. Rarely does one board's policy serve exactly to address the concerns and needs of all other school units. MSMA recommends a careful analysis of the need and purpose of any policy and a thorough consideration of the application and suitability to the individual school system.

MSMA sample policies and other resource materials may not be considered as legal advice and are not intended as a substitute for the advice of a board's own legal counsel.